UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

JUN 1 6 2014

CERTIFIED MAIL – RETURN RECEIPT REQUESTED
Article Number: 7005 3110 0000 5966 0126

Mr. John Currie, Owner
Currie Valley Dairy, LLC
2267 Currie Road
Tully, New York 13159

RE: Request for Information (RFI) Pursuant to Section 308 of the Clean Water Act
Currie Valley Dairy, LLC Concentrated Animal Feeding Operation (NYA000328)
Docket No. CWA-IR-14-018

Dear Mr. Currie:

The United States Environmental Protection Agency (EPA) is charged with the protection of human health and the environment under the Clean Water Act (CWA or Act), 33 U.S.C. §§ 1251 et seq. Section 308(a) of the CWA, 33 U.S.C. § 1318(a), provides that whenever it is necessary to carry out the objectives of the CWA, including determining whether or not a person/agency is in violation of Section 301 of the CWA, 33 U.S.C. § 1311, the EPA shall require the submission of any information reasonably necessary to make such a determination. Under the authority of Section 308 of the CWA, EPA may require the submission of information necessary to assess the compliance status of any facility and its related appurtenances.

Currie Valley Dairy, LLC is hereby required, pursuant to Section 308(a) of the Clean Water Act, 33 U.S.C. § 1318(a), to submit to EPA documentation with accompanying photographs of the following no later than deadlines specified:

1. No later than thirty (30) calendar days of receipt of this RFI, submit documentation with accompanying photographs of the measures taken to address each of the Potential Violations and Areas of Concern specified in the enclosed Inspection Report, including temporary measures implemented to properly Operate and Maintain the existing silage leachate collection and treatment system;
2. No later than thirty (30) calendar days of receipt of this RFI, submit revised Facility Maps depicting all drainage pipes, clean water diversions and material storage locations; and
3. No later than seven (7) calendar days after September 30, 2014, submit to EPA certification that the CNMP has been fully implemented by September 30, 2014 as stated in the Facility's Appendix D, including completion of the silage leachate collection system.

All information required to be submitted by this Request for Information shall be sent by certified mail or its equivalent to the following address:

Doughlas McKenna, Chief
Water Compliance Branch
Division of Enforcement and Compliance Assistance
290 Broadway, 20th Floor
New York, NY 10007-1866

Any documents to be submitted by Currie Valley Dairy, LLC must be sent by certified mail or its equivalent and shall be signed by an authorized representative of the respective entity (see 40 C.F.R. § 122.22), and shall include the following certification:

> "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitted false information, including the possibility of fine and imprisonment for knowing violations."

Failure to provide the required information may subject the facility to civil/criminal penalties pursuant to Section 309 of the CWA. Failure to comply with the RFI shall also subject the facility to ineligibility for participation in work associated with Federal contracts, grants or loans.

Enclosed is a copy of the inspection report detailing EPA's findings from the April 23, 2014 inspection at the Currie Valley Dairy, LLC facility.

If you have any questions regarding this Request for Information or the enclosed Inspection Report, please feel free to contact Kimberly McEathron of my staff via phone at (212) 637-4228 or via email at mceathron.kimberly@epa.gov.

Sincerely,

Doughlas McKenna, Chief
Water Compliance Branch

Enclosure

cc: Joseph DiMura, P.E, Director, Bureau of Water Compliance Programs, NYSDEC
Joseph Zalewski, Regional Water Engineer, NYSDEC Region 7

United States Environmental Protection Agency
Washington, D.C. 20460

Water Compliance Inspection Report

Section A: National Data System Coding (i.e., PCS)

Transaction Code	NPDES	yr/mo/day	Inspection Type	Inspector	Fac Type
1 [ ] 2 [5]	3 [NY1A90013218] 11	12 [140423] 17	18 [=]	19 [B]	20 [3]

Remarks

21 [ ] 66

Inspection Work Days	Facility Self-Monitoring Evaluation Rating	BI	QA	Reserved
67 [10] 69	70 [ ]	71 [ ]	72 [ ]	73 [ ] 74 [ ] 75 [ ] 80

Section B: Facility Data

Name and Location of Facility Inspected *(For industrial users discharging to POTW, also include POTW name and NPDES permit number)*

Cume Valley Dairy, LLC
2267 Cume Road
Tully, NY 13159

Entry Time/Date: 8:00 AM 4/23/2014

Permit Effective Date: 7/1/2004

Exit Time/Date: 12:00 PM 4/23/2014

Permit Expiration Date:

Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s)

John Cume, Owner
Cume Valley Dairy, LLC
(315) 696-8051

Other Facility Data *(e.g., SIC NAICS, and other descriptive information)*

SIC 0241

Name, Address of Responsible Official/Title/Phone and Fax Number

John Cume, Owner
2267 Cume Road
Tully, NY 13159

Contacted: [✓] Yes [ ] No

Section C: Areas Evaluated During Inspection *(Check only those areas evaluated)*

[✓] Permit	[ ] Self-Monitoring Program	[ ] Pretreatment	[ ] MS4
[✓] **Records/Reports**	[ ] Compliance Schedules	[✓] Pollution Prevention	
[✓] Facility Site Review	[ ] Laboratory	[✓] Storm Water	
[ ] Effluent/Receiving Waters	[✓] Operations & Maintenance	[ ] Combined Sewer Overflow	
[ ] Flow Measurement	[ ] Sludge Handling/Disposal	[ ] Sanitary Sewer Overflow	

Section D: Summary of Findings/Comments

(Attach additional sheets of narrative and checklists, including Single Event Violation codes, as necessary)

SEV Codes	SEV Description
[ ][ ][ ][ ][ ]	
[ ][ ][ ][ ][ ]	
[ ][ ][ ][ ][ ]	
[ ][ ][ ][ ][ ]	

Name(s) and Signature(s) of Inspector(s)	Agency/Office/Phone and Fax Numbers	Date
Kimberly McEathron	US EPA/DECA/212-637-4228	5/27/2014

Signature of Management Q A Reviewer	Agency/Office/Phone and Fax Numbers	Date
	US EPA/DECA/212 637 4268	6/13/14

EPA Form 3560-3 (Rev 4-06) Previous editions are obsolete.

INSTRUCTIONS

Section A: National Data System Coding *(i.e., PCS)*

Column 1: Transaction Code: Use N, C, or D for New, Change, or Delete. All inspections will be *new* unless there is an error in the data entered.

Columns 3-11: NPDES Permit No. Enter the facility's NPDES permit number - third character in permit number indicates permit type for U=unpermitted, G=general permit, etc.. *(Use the Remarks columns to record the State permit number, if necessary.)*

Columns 12-17: Inspection Date. Insert the date entry was made into the facility. Use the year/month/day format (e.g., 04/10/01 = October 01, 2004).

Column 18: Inspection Type*. Use one of the codes listed below to describe the type of inspection:

- A Performance Audit
- B Compliance Biomonitoring
- C Compliance Evaluation (non-sampling)
- D Diagnostic
- F Pretreatment (Follow-up)
- G Pretreatment (Audit)
- I Industrial User (IU) Inspection
- J Complaints
- M Multimedia
- N Spill
- O Compliance Evaluation (Oversight)
- P Pretreatment Compliance Inspection
- R Reconnaissance
- S Compliance Sampling
- U IU Inspection with Pretreatment Audit
- X Toxics Inspection
- Z Sludge - Biosolids
- # Combined Sewer Overflow-Sampling
- $ Combined Sewer Overflow-Non-Sampling
- + Sanitary Sewer Overflow-Sampling
- & Sanitary Sewer Overflow-Non-Sampling
- \ CAFO-Sampling
- = CAFO-Non-Sampling
- 2 IU Sampling Inspection
- 3 IU Non-Sampling Inspection
- 4 IU Toxics Inspection
- 5 IU Sampling Inspection with Pretreatment
- 6 IU Non-Sampling Inspection with Pretreatment
- 7 IU Toxics with Pretreatment
- ! Pretreatment Compliance (Oversight)
- @ Follow-up (enforcement)
- (Storm Water-Construction-Sampling
-) Storm Water-Construction-Non-Sampling
- : Storm Water-Non-Construction-Sampling
- ~ Storm Water-Non-Construction-Non-Sampling
- < Storm Water-MS4-Sampling
- - Storm Water-MS4-Non-Sampling
- > Storm Water-MS4-Audit

Column 19: Inspector Code. Use one of the codes listed below to describe the *lead agency* in the inspection.

- A — State (Contractor)
- B — EPA (Contractor)
- E — Corps of Engineers
- J — Joint EPA/State inspectors—EPA Lead
- L — Local Health Department (State)
- N — NEIC inspectors
- O — Other inspectors, Federal/EPA (Specify in Remarks columns)
- P — Other inspectors, State (Specify in Remarks columns)
- R — EPA Regional Inspector
- S — State Inspector
- T — Joint State/EPA Inspectors—State lead

Column 20: Facility Type. Use one of the codes below to describe the facility.

- 1 — Municipal. Publicly Owned Treatment Works (POTWs) with 1987 Standard Industrial Code (SIC) 4952.
- 2 — Industrial. Other than municipal, agricultural, and Federal facilities.
- 3 — Agricultural. Facilities classified with 1987 SIC 0111 to 0971.
- 4 — Federal. Facilities identified as Federal by the EPA Regional Office.
- 5 — Oil & Gas. Facilities classified with 1987 SIC 1311 to 1389.

Columns 21-66: Remarks. These columns are reserved for remarks at the discretion of the Region.

Columns 67-69: Inspection Work Days. Estimate the total work effort (to the nearest 0.1 work day), up to 99.9 days, that were used to complete the inspection and submit a QA reviewed report of findings. This estimate includes the accumulative effort of all participating inspectors; any effort for laboratory analyses, testing, and remote sensing; and the billed payroll time for travel and pre- and post inspection preparation. This estimate does not require detailed documentation.

Column 70: Facility Evaluation Rating. Use information gathered during the inspection (regardless of inspection type) to evaluate the quality of the facility self-monitoring program. Grade the program using a scale of 1 to 5 with a score of 5 being used for very reliable self-monitoring programs, 3 being satisfactory, and 1 being used for very unreliable programs.

Column 71: Biomonitoring Information. Enter D for static testing. Enter F for flow through testing. Enter N for no biomonitoring.

Column 72: Quality Assurance Data Inspection. Enter Q if the inspection was conducted as followup on quality assurance sample results. Enter N otherwise.

Columns 73-80: These columns are reserved for regionally defined information.

Section B: Facility Data

This section is self-explanatory except for "Other Facility Data," which may include new information not in the permit or PCS (e.g., new outfalls, names of receiving waters, new ownership, other updates to the record, SIC/NAICS Codes, Latitude/Longitude).

Section C: Areas Evaluated During Inspection

Check only those areas evaluated by marking the appropriate box. Use Section D and additional sheets as necessary. Support the findings, as necessary, in a brief narrative report. Use the headings given on the report form (e.g., Permit, Records/Reports) when discussing the areas evaluated during the inspection.

Section D: Summary of Findings/Comments

Briefly summarize the inspection findings. This summary should abstract the pertinent inspection findings, not replace the narrative report. Reference a list of attachments, such as completed checklists taken from the NPDES Compliance Inspection Manuals and pretreatment guidance documents, including effluent data when sampling has been done. Use extra sheets as necessary.

*Footnote: In addition to the inspection types listed above under column 18, a state may continue to use the following wet weather and CAFO inspection types until the state is brought into ICIS-NPDES: K: CAFO, V: SSO, Y: CSO, W: Storm Water 9: MS4. States may also use the new wet weather, CAFO and MS4 inspections types shown in column 18 of this form. The EPA regions are required to use the new wet weather, CAFO, and MS4 inspection types for inspections with an inspection date (DTIN) on or after July 1, 2005.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2, DECA-WCB
20th Floor, 290 Broadway, NY, NY 10007

CAFO COMPLIANCE INSPECTION REPORT

Inspection Date: April 23, 2014 **Inspection Time:** 8:00 AM – 12:00 PM	**Inspector:** Kimberly McEathron, Physical Scientist, USEPA, Region 2, (212) 637-4228
Inspection Type: Compliance Evaluation Inspection	
On-Site Representatives: John Currie, Owner, Currie Valley Dairy, LLC, (315) 696-8051; Colleen Currie, Co-owner, Currie Valley Dairy, LLC, (315) 696-8051; and Paul Murphy, CAFO Planner, Farm Compliance Services, (315) 427-4947	
Other Attendees: Stacy Russell, Cortland County Soil and Water Conservation District, (607) 597-9360; Scott Cook, NYSDEC Region 7, (315) 426-7502; and Julie Melancon, NYSDEC Region 7, (315) 426-7418	
Site Information:	Currie Valley Dairy, LLC 2267 Currie Road Tully, New York 13159 NPDES/ICIS No. NYA000328
SIC Code:	0241, Dairy Farms
Attachments:	EPA Form 3560-3 and New York State Department of Environmental Conservation, Division of Water, CAFO Facility Inspection Report, Version 1.0 – 3/15/06

INTRODUCTION:

On April 23, 2014, the United States Environmental Protection Agency (EPA) conducted a Federal lead compliance evaluation inspection at Currie Valley Dairy, LLC (Facility or Currie Valley Dairy) located in Tully, New York in Cortland County. The inspection team consisted of Kimberly McEathron of EPA's Division of Enforcement and Compliance Assistance, Water Compliance Branch (DECA-WCB) and Scott Cook and Julie Melancon of the New York State Department of Environmental Conservation (NYSDEC). John Currie, the owner, represented the Facility. Also present was the Facility's Nutrient Management Planner, Paul Murphy of the Farm Compliance Services (FCS). Weather conditions at the time of the inspection were scattered showers, partly cloudy and approximately 40 degrees Fahrenheit. During the previous twenty-four hours, weather conditions were rainy and approximately 50 degrees Fahrenheit.

The inspection was performed to determine the Facility's compliance with the requirements and limitations of 40 C.F.R. 122.42(e) as well as NYSDEC's State Pollutant Discharge Elimination

System (SPDES) General Permit for Concentrated Animal Feeding Operations (CAFOs) No. GP-04-02.

INSPECTION PROCEDURE:

Upon arrival at the Facility, EPA Inspector McEathron presented credentials to Mr. Currie, the owner of the Facility. While on-site, EPA Inspector McEathron conducted an opening conference with Mr. Currie, conducted a field inspection and took photographs of areas of concern at the Facility and surrounding areas. At the conclusion of the inspection, a closing conference was held with Mr. Currie to discuss the findings and observations of the inspection. EPA Inspector McEathron conducted the inspection in accordance with the procedures described in the "Routine Bio-Security Procedures for EPA Personnel Visiting Farms."

FINDINGS & OBSERVATIONS:

Facility Description:

Currie Valley Dairy is located in Tully, NY in Cortland County. According to Mr. Currie, Currie Valley Dairy was established in 1915. On January 13, 2000, Currie Valley Dairy obtained coverage under the NYSDEC CAFO General Permit (NYA000328) as a medium CAFO as the number of mature dairy cows fell within the medium dairy CAFO range of 200-699 mature dairy cows. When the NYSDEC CAFO General Permit was re-issued on June 24, 2004 with an effective date of July 1, 2004, Currie Valley Dairy's permit coverage was automatically renewed. The Facility submitted a Notice of Intent dated December 15, 2010 to the NYSDEC for a facility expansion to a Large CAFO (greater than 700 mature dairy cows) and subsequently received an Acknowledgement of Notice of Intent from the NYSDEC on August 16, 2013.

Currie Valley Dairy consists of a Holstein Facility located at 7169 Route 11 in Tully, New York, a Main Facility located just south of the Holstein Farm on Route 11 and a Heifer Facility (also known as "Slab City") located at 2109 East Clark Road in Homer, New York. Both the Holstein Facility and the Main Facility have milking parlors. Production area runoff from the Main Facility flows west to vegetated fields via drainage ditches and surface runoff. Railroad tracks provide a barrier between these vegetated fields and the West Branch of the Tioughnioga River. Production area runoff from the Holstein Facility flows west to vegetated fields via surface runoff. Production area runoff from the Heifer Facility would discharge to the West Branch of the Tioughnioga River located along the east side of the Facility separated by a fenced vegetated pasture. The Tioughnioga River is within the Chesapeake Bay watershed.

According to Mr. Currie and the Facility's records, at the time of the inspection, there were approximately 1,093 mature dairy cows and 738 heifers and calves on-site at the three (3) locations (Main, Holstein and Heifer Facilities). The Facility is considered to be a large CAFO as it exceeds the large dairy CAFO threshold of 700 mature dairy cows.

The Main Facility consists of six (6) barns (Freestall Milking Barns #1 and #2, Heifer Barn, Calf Transition Barn, Calf Barn and Hospital Barn) and a Milking Parlor. There is one (1) manure storage structure at the Main Facility (Main Manure Pit) and one (1) bunk silo (Bunk Silo). The

Holstein Facility consists of two (2) barns (Holstein Barn and Dry Cow/Commodity Barn), a milking parlor and a dry stack manure loading area. The Heifer Facility/Slab City consists of four (4) barns (Calf Barn, Dry Cow Barn, Heifer Barns #1 and #2). There is one (1) manure storage structure (Slab City Manure Pit) and daily haul loading areas.

Comprehensive Nutrient Management Plan (CNMP):

Section VII.A of the NYSDEC CAFO General Permit requires each CAFO to develop and implement a CNMP in accordance with Natural Resources Conservation Service (NRCS) Conservation Practice Standard No. NY312, and good agricultural practices, and should include measures necessary to prevent pollutants in runoff. Currie Valley Dairy's CNMP was prepared by Farm Compliance Services (FCS) and was reviewed on-site.

Section VII.C of the NYSDEC CAFO General Permit requires Large CAFOs to have all CNMP practices fully operational by December 31, 2006 and requires Medium CAFOs to have all CNMP practices fully operational by June 30, 2009. At the time of the inspection, the CNMP was not fully implemented. According to on-site representatives, the remaining CNMP practices to be implemented include the replacement of the existing Vegetated Treatment Area (VTA) which was constructed in 2007 in accordance with the existing NRCS standards but does not meet the revised 2009 NRCS standards. According to the Facility's 2013 Appendix D, the practice is not in response to a high risk condition. According to documentation provided at the time of the inspection, the design for the new silage leachate collection and treatment system was designed by Jessica Skinner, P.E. and was dated April 2014.

"NRCS Conservation Practice Standard No. NY590 (Nutrient Management)" states that documentation of the actual rate at which nutrients were applied should be retained as part of the Facility's operations and maintenance. According to the CNMP at the time of the inspection, there was one (1) field with a very high Phosphorus Index score (Field 60) and the CNMP states that no manure or fertilizer is to be applied to this field. According to the CNMP, there are no fields with a very high Nitrogen Leaching Index score. There is one (1) field with a high Nitrogen Leaching Index score that has adjusted practices such as cover crops and limited fall applications.

EPA inspector McEathron reviewed manure application records that were maintained by the Facility onsite from September 30, 2011 to present (April 2014). According to Facility representatives, manure application records prior to September 30, 2011 are maintained on a prior version of the computer software and were not accessible onsite at the time of the inspection. Manure application records were documented and maintained in handwritten logs that were then entered into the computer with information such as field name, acres, manure source, spreader used, number of loads applied and application date. According to the crop year 2013, manure application records reviewed by EPA Inspector McEathron for Fields 1, 11, 49, 60 and 108 manure was applied in accordance with the CNMP recommendations for that crop year. The CNMP recommended no manure applications for Field 79 for crop year 2013, however, on March 4, 2013, 1,500 gallons per acre of liquid manure and six (6) tons per acre of pack manure was applied. Field 79 is 10.9 acres and is located adjacent to a tributary to the West Branch of the Tioughnioga River and has a low Phosphorus Index score at 6. According to Facility

representatives, Field 79 was a new grass field and manure applications in 2013 are considered when developing recommendations for crop year 2014. Field 52 was not on the manure application recommendation list in the CNMP for crop year 2013, however, 1,500 gallons per acre was applied to the field in July 2013. Field 52 is 39.5 acres and is located adjacent to the West Branch of the Tioughnioga River. According to Facility representatives, Field 52 was combined with Field 53 and labeled as Field 51 but had been split up.

Recordkeeping:

Section IX.F of the NYSDEC CAFO General Permit requires the permittee to retain copies of all records and reports required by the permit for a period of at least five (5) years from the date reported.

The NYSDEC CAFO General Permit requires the following records and reports of all permittees (the Facility has been a permitted CAFO since January 13, 2000, therefore at the time of the inspection records from April 23, 2009 through April 23, 2014 were required):

1. CNMP Certification (Section VII.B of the Permit). The Facility provided copies of its CNMP Certifications (Appendix B) completed and signed dated January 12, 2006 and July 31, 2013 for the facility expansion to a large CAFO.
2. On-Site Rain Gauge (Section IX.K of the Permit). The facility has a rain gauge on-site located at the Main Farm. According to the Facility representatives the rain gauge is brought inside during the winter months (generally December through April) and the rain gauge at not yet been placed back outside at the time of EPA's inspection. EPA inspector McEathron observed that rainfall records, with the exception of winter months and the year 2011, were available from March 2009 through November 2013.
3. Annual Compliance Reports (Section IX.L of the Permit). The Facility provided copies of its Annual Compliance Reports (Appendix D) for 2009 to 2013.
4. Soil test data (Section VII.A of the Permit). Currie Valley Dairy provided a summary of soil test data and actual soil test results for samples taken since 2012 in their CNMP. Soil test results for fields that manure is spread to are less than or around three (3) years old with the oldest samples tested in 2011. The actual soil test results and sampling dates were not available for the 2011 samples. According to Facility representatives, the fields sampled in 2011 will be sampled this year.
5. Manure analysis (Section VII.A of the Permit). Manure analysis test results were available for review on-site. Currie Valley Dairy sampled the five (5) sources on April 11, 2014 (Main Manure Pit, Slab City Manure Pit, Main Facility Pack, Main Facility Heifer and Holstein Facility Solids). In addition, Currie Valley Dairy sampled the Main Facility Pit sand on January 23, 2013.
6. Emergency Action Plan (Section VIII.C.xii). EPA inspector McEathron reviewed the Facility's Emergency Action Plan (EAP), which appeared to cover the different procedures that the Facility should be prepared to implement in the event of an emergency, including spills. The EAP contained relevant phone numbers to contact in the event of an emergency, a spill response procedure and was dated January 2013 – April 2014. Mr. Currie stated that all employees who spread manure are aware of the EAP and that each location has a copy of its own EAP.

7. Manure, litter and/or process wastewater export records (Section VIII.C.xiii of the Permit). According to Mr. Currie and Facility documentation, the Facility exports nutrients and provides the nutrient content for instances where one (1) recipient receives greater than 50 tons annually. According to the Facility's submitted Appendix D's, the Facility exported 1,762 tons of manure in 2013, 90 tons of manure in 2012, and 3,518 tons of manure in 2011.

The NYSDEC CAFO General Permit requires the following additional records and reports of all permitted Large CAFOs (the Facility has been a permitted Large CAFO since August 16, 2013):

1. Weekly inspections of all stormwater diversion devices (Section IX.N.i of the Permit). The Facility was unable to provide documentation of weekly inspections of stormwater diversion devices, runoff diversion structures and manure storage containment structures at the time of the inspection.
2. Daily water line inspections (Section IX.N.ii of the Permit). According to Facility representatives, daily visual inspections of the Facility are conducted, however the Facility was unable to provide documentation of daily water line inspections at the time of the inspection.
3. Weekly records of depth marker readings (Section IX.O.ii of the Permit). Records of weekly depth marker readings for the two (2) Manure Storage Structures were available on a weekly basis from August 2013 to present (April 2014) except for the weeks of February 10, 2014, January 6, 2014 and January 13, 2014 where a depth marker reading was not documented.
4. Records for handling and disposal of dead animals (Section IX.O.iv of the Permit). Mortalities are collected by a renderer on a daily basis from the Facility and the renderer provides an annual summary receipt for the number of animals collected.
5. Design of manure and litter storage structures (Section IX.O.v of the Permit). Waste storage information was provided by on-site representatives and the CNMP at the time of the inspection.
6. Records of overflows (Section IX.O.vi of the Permit). On-site representatives stated that there had not been an overflow at the Facility so there are no records of overflows.
7. Manure application equipment inspections (Section IX.O of the Permit). According to the Facility representatives, manure application equipment was calibrated over five (5) years prior to this inspection but documentation of the calibration was not provided at the time of the inspection. According to the Facility representatives, manure application equipment inspections and maintenance are conducted on an annual basis and periodically documented in hand written notes. At the time of the inspection, the Houle spreader was being maintained in the shop at the Main Facility and the spreader maintenance notes that date back to 2008 lists oil and filter changes but the list is undated.

Clean Water:

Section VI.A of the NYSDEC CAFO General Permit generally prohibits the discharge of process wastewater from CAFOs to waters of the State. Section VII.A of the NYSDEC CAFO General Permit states that CNMPs are required to be prepared in accordance with "NRCS Conservation Practice Standard No. NY312" which requires that clean water be excluded from concentrated

waste areas to the fullest extent practical. Section VIII.C.v of the NYSDEC CAFO General Permit states that animals confined in the animal feeding operation must be prevented from coming into contact with the surface waters of the State.

Main Facility

Stormwater from the Main Facility flows west and northwest and terminates in adjacent fields.

EPA inspector McEathron observed a drainage pipe located between the Calf Transition Barn and the Heifer Barn, two (2) connected catch basins and an outlet pipe located immediately uphill and adjacent to the southeast corner of the existing VTA. At the time of the inspection, EPA inspector McEathron did not observe flow coming from the outlet pipe but did observe pooling water extending from this outlet pipe into the VTA. The stormwater flow path from the Heifer Barn to south of the VTA is depicted on the Facility Map, however, the drainage pipe, catch basins and outlet to the southeast corner of the VTA is not depicted.

EPA inspector McEathron identified that stormwater along the Calf Barn and west of Route 11 would flow to a drainage swale adjacent to Route 11 that leads to a culvert pipe located under the south entrance to the Calf Barn, then to another drainage swale and to a second culvert pipe that flows south to another drainage swale. This drainage swale flows west and terminates in an adjacent field located immediately west of the Facility. This flow path, culvert pipes and drainage swales is not depicted on the Facility map.

EPA inspector McEathron observed that stormwater can come into contact with manure along the north sides of the Calf Transition Barn and the Heifer Barn where daily spread manure is temporarily stored on concrete for loading. EPA inspector McEathron also observed that stormwater can come into contact with sand bedding piles on the north end of the Heifer Barn, south end of the Freestall Milking Barn #1 and the south end of the Freestall Milking Barn #2. Stormwater runoff from these locations would flow north to an adjacent field.

Holstein Facility

Stormwater from the Holstein Farm flows via surface runoff west and terminates in a field west of the farm.

EPA inspector McEathron observed that stormwater can come into contact with manure at the manure loading area, concrete stack pad and calf hutches at the Holstein Facility. Stormwater runoff from these locations would flow south and southwest to an adjacent field.

Heifer Facility/Slab City

Stormwater runoff from the Heifer Facility/Slab City flows east through a vegetated pasture approximately 100 feet to the West Branch of the Tioughnioga River. EPA observed a drainage pipe that collects stormwater from the west side of the Dry Cow Freestall Barn and outlets to the western edge of the vegetated pasture. At the time of the inspection, EPA did not observe flow or

evidence of erosion down the slope of the pasture from this pipe. This drainage pipe is not depicted on the Facility Map in the CNMP.

EPA inspector McEathron observed that stormwater can come into contact with manure at the Calf Hutches and along the northern sides of the Heifer Freestall and Dry Cow Freestall Barns where the daily haul manure is temporarily stored on concrete for loading. EPA inspector McEathron also observed that stormwater can come into contact with sand bedding piles at the Slab City/Heifer Facility along the north end of the manure storage structure. Stormwater runoff from these locations would flow north and northeast to a vegetated field or south to the Concrete Waste Storage Facility. Stormwater from these locations flows south to a vegetated area or north to the Concrete Waste Storage Facility.

Silage/Feed/Commodities Storage:

Section VIII.C.xi of the NYSDEC CAFO General Permit states that "[c]ollection, storage, and disposal of liquid and solid waste should be managed in accordance with NRCS standards." NRCS Conservation Practice Standard No. 312 "Waste Management System" states that "waste" includes polluted runoff such as that from a barnyard or silo, and that all farms with silage will address silage leachate control. In addition, NRCS Conservation Practice Standard No. 635 "Vegetated Treatment Area" specifies general criteria applicable to all vegetated treatment areas as well as additional criteria for treatment of bunk silo leachate. Section X.G of the NYSDEC CAFO General Permit requires the permittee to, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with this permit.

At the Main Facility, feed (corn silage and haylage) is stored in the Bunk Silo with a silage leachate collection, distribution and treatment system. In 2007, the Bunk Silo was 120 feet by 100 feet and 136 feet by 82 feet. Between 2013 and 2014 an 80 foot by 140 foot concrete extension was added onto the Bunk Silo. At the time of the inspection, the Bunk Silo had a 17,000 ton holding capacity. Low flow from Bunk Silo is designed to flow through a screen and into an underground collection tank located on the south end of the bunk silo and is then mixed with manure in the Main Manure Pit. High flow from the Bunk Silo is designed to flow south through a screen and then west to a level lip spreader and then to the Vegetated Treatment Area (VTA). The VTA As-Built was certified by Donald Lynch, P.E. on September 4, 2007. The As-Built contains an Operation and Maintenance (O&M) Plan for the collection system and VTA. Concrete walls were observed along the north, east and south sides of Bunk Silo. EPA inspector McEathron observed silage exposed to stormwater and beyond the concrete walls at the northwest corner the Bunk Silo. Stormwater runoff from this location would flow north to an adjacent field. EPA inspector McEathron observed that silage along the west side of the Bunk Silo was tarped and extended beyond the concrete walls and was sloped west. Silage leachate from this portion of the Bunk Silo would potentially flow west to an adjacent field and not to the silage leachate collection system.

At the time of the inspection, EPA inspector McEathron observed pooling high flow silage leachate in the collection and distribution system for VTA extending from the high flow discharge point southwest through the VTA and into an adjacent field. The level lip spreader was

unable to be viewed at the time of the inspection due to the pooling high flow silage leachate covering the level lip spreader.

Commodities such as grain are stored in bins located southwest of the Calf Transition Barn at the Main Facility, west of the Holstein Barn and inside the Commodity Storage Building at the Holstein Facility.

Waste Storage Facilities and Manure Transfer:

Section VIII.C.xi of the NYSDEC CAFO General Permit states that "[c]ollection, storage, and disposal of liquid and solid waste should be managed in accordance with NRCS standards." NRCS Conservation Practice Standard No. 313 "Waste Storage Facility" specifies general criteria applicable to all waste storage facilities as well as additional criteria for waste storage ponds. Section VIII.C.viii of the NYSDEC CAFO General Permit states that "[s]olids, sludges, manure or other pollutants removed in the course of treatment or control of wastewater shall be disposed of in a manner such as to prevent pollutants from being discharged to waters of the State." In addition, Section X.G of the NYSDEC CAFO General Permit requires the permittee to at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with this permit.

Main Facility

The Main Manure Pit is a rectangular concrete structure located west of the Freestall Barn #1 and is 156 feet by 57 feet by 11 feet. The structure was constructed in 2010, has a 660,000 gallon capacity and has approximately thirty-five (35) day storage period. The As-Built for the Main Manure Pit was signed by Jessica Skinner, P.E. on January 20, 2010. The evaluation contains an Operation and Maintenance (O&M) Plan for the structure. On-site representatives stated that the plan is to construct a new four (4) million gallon concrete manure storage structure west of the existing structure in late 2014. According to the Facility representative, solids are cleaned out of the Main Manure Pit twice per year.

EPA inspector McEathron inspected the Main Manure Pit and observed that the manure storage structure was fenced and had warning signs. EPA also observed that the manure level in the structure was below the maximum fill marker.

The Main Manure Pit receives milkhouse waste, sand bedding, and manure from Freestall Milking Barn #1 via reception trenches. According to the Facility representative, a skid steer is used to push manure into the reception pits in Freestall Milking Barns #1 and #2. Dry pack manure from the Calf Transition Barn, Heifer Barn, Calf Barn and Hospital Barn is daily spread.

The Temporary Reception Pit is a rectangular concrete structure located between the Freestall Milking Barns #1 and #2 and 40 feet by 86 feet by 10 feet deep. The structure was constructed in 2010, has a 95,000 gallon capacity and has approximately eight (8) days storage period. The As-Built for the Main Manure Pit was signed by Jessica Skinner, P.E. on January 20, 2010. The evaluation contains an Operation and Maintenance (O&M) Plan for the structure.

EPA inspector McEathron inspected the Temporary Reception Pit and observed that the manure storage structure was fenced and had warning signs. EPA also observed that the manure level in the structure was below the maximum fill marker.

Holstein Facility

According to Facility representatives and the CNMP, manure is transferred from the Holstein Barn by a barn cleaning system to the load out concrete, curbed pad and milkhouse waste is piped to a temporary storage tank designed by NRCS. The Commodity Storage building, containing dry cows and heifers, is bedded with sawdust and manure and bedding is removed using a skid steer and loaded to a spreader.

Heifer Facility/Slab City

The Slab City Manure Pit is a rectangular concrete structure that is 106 feet long by 41 feet wide. The structure was constructed in 2012, has approximately 220,309 gallon storage capacity and has a 2.5 month storage period. The As-Built for the structure was signed by Jessica Skinner, P.E. and was dated July 21, 2013. The As-Built contains an O&M Plan for the structure.

EPA inspector McEathron inspected the Slab City Manure Pit and observed that the manure storage structure was fenced and had warning signs. EPA also observed that the manure level in the structure was below the maximum fill marker.

Other Wastes:

Section VIII.C.x of the NYSDEC CAFO General Permit requires that dead animals shall be properly disposed of within three (3) days and in a manner to prevent contamination of waters of the State or creation of a public health hazard. As discussed previously, mortalities are collected by a renderer on a daily basis. According to the on-site representative, the Facility used to compost mortalities adjacent to the Bunk Silo up until a couple years prior to the inspection when the mortality area was converted to a Bunk Silo extension and the Facility began using a renderer. According to on-site representatives, spoiled silage and feed are land applied.

According to Mr. Currie, whey is imported by the Facility for feed and is not imported for land applications.

CONCLUSIONS:

Potential Violations

1. Section X.G of the CAFO General Permit requires the permittee to at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the permit. At the time of the inspection, inadequate operation and maintenance was observed at the following locations:

a. The level lip spreader was unable to be viewed at the time of the inspection due to the pooling high flow silage leachate covering the level lip spreader (see photograph RIMG0075.JPG);
b. Silage was observed along the north side of the Bunk Silo extending beyond the concrete walls and exposed to stormwater (see photograph RIMG0079.JPG);
c. Tarped silage along the west side of the Bunk Silo extended beyond the concrete and was sloped west. Silage leachate from this portion of the Bunk Silo would potentially flow west to an adjacent field and not to the silage leachate collection system (see photograph RIMG0080.JPG); and
d. Pooling high flow silage leachate in the silage leachate collection and distribution system extending from the high flow discharge point south and west through and beyond the Vegetated Treatment Area (VTA) into an adjacent field (see photograph RIMG0081.JPG).

2. Section IX.F of the NYSDEC CAFO General Permit requires the permittee to retain copies of all records and reports required by this permit for a period of at least 5 years from the date reported. Section.IX.O.i requires records of inspections to be documented. The following records and reports were not provided at the time of the inspections:

    a. Section IX.N.i of the NYSDEC CAFO General Permit requires Large CAFOs to perform weekly inspections of all stormwater diversion devices, runoff diversion structures, animal waste storage structures, and devices channeling contaminated stormwater to the wastewater and manure storage containment structure. The Facility was unable to provide documentation of weekly inspections of stormwater diversion devices, runoff diversion structures and manure storage containment structures. The Facility has been a permitted Large CAFO since August 2013 so records are required to be available since August 2013.
    b. Section IX.N.ii of the NYSDEC CAFO General Permit requires Large CAFOs to perform daily water line inspections, including drinking water and cooling water lines to be conducted. The Facility was unable to provide documentation of daily water line inspections. The Facility has been a permitted Large CAFO since August 2013 so records are required to be available since August 2013.
    c. Section IX.O.ii of the NYSDEC CAFO General Permit requires weekly records of manure storage structure depth marker readings. Records of weekly depth marker readings for the two (2) Manure Storage Structures were available on a weekly basis from August 2013 to present (April 2014) except for the weeks of February 10, 2014, January 6, 2014 and January 13, 2014 where a depth marker reading was not documented.

3. Section IX.O of the NYSDEC CAFO General Permit specifies that dates of manure application equipment inspection are required to be documented as part of the Land Application Area records requirements. According to the Facility representatives, manure application equipment was calibrated over five (5) years prior to this inspection but documentation of the calibration was not provided at the time of the inspection. According to the Facility representatives, manure application equipment inspections and maintenance are

conducted on an annual basis and periodically documented in hand written notes. At the time of the inspection, the Houle spreader was being maintained in the shop at the Main Facility and the spreader maintenance notes that date back to 2008 lists oil and filter changes that are undated.

Areas of Concern

1. The Facility maps in the CNMP did not depict all drainage pipes, clean water diversions and material storage locations, including, but not limited to, the following items:

    a. Feed grain bin located on the north side of the Holstein Barn at the Holstein Facility (see photograph RIMG0054.JPG);
    b. Storm drain south of the Calf Transition Barn at the Main Facility (see photograph RIMG0071.JPG);
    c. Feed grain bin south of the Calf Transition Barn at the Main Facility (see photograph RIMG0072.JPG);
    d. Storm drain northwest of the Concrete Manure Storage and adjacent to the Hay Storage at the Main Facility (see photograph RIMG0073.JPG);
    e. Feed grain bin with feed on the ground uphill from clean water outfall at the Main Facility (see photograph RIMG0084.JPG);
    f. Drainage ditch and pipe south of Main Facility (see photograph RIMG0089.JPG);
    g. Clean water diversion ditch and culvert south of Calf Barn at the Main Facility (see photograph RIMG0094.JPG);
    h. Clean water diversion ditch pipe south of Calf Barn to adjacent field at the Main Facility (see photograph RIMG0095.JPG);
    i. Clean water pipe to pasture at the Heifer/Slab City Facility (see photograph RIMG0101.JPG); and
    j. Clean water pipe drain between manure storage and Dry Cow Freestall Barn at the Slab City/Holstein Facility (see photograph RIMG0111.JPG).

2. Section VII.A of the CAFO General Permit states Comprehensive Nutrient Management Plans (CNMPs) are required to be prepared in accordance with "NRCS Conservation Practice Standard No. NY312". NY312 states that clean water shall be excluded from concentrated waste areas to the fullest extent practical. At 40 C.F.R. 122.42(e), the Federal CAFO Rule also specifies what a Nutrient Management Plan (NMP) must address, at a minimum. Specifically, NMPs should ensure that clean water is diverted, as appropriate, from the production area (see 40 C.F.R. 122.42(e)(iii)). At the time of the inspection, EPA inspector McEathron observed concentrated waste areas and production areas exposed to stormwater. Stormwater runoff from these locations flows to adjacent fields or into a waste storage facility. The Facility should ensure that these locations are operated and maintained to prevent and eliminate pollutants from being carried via stormwater from the production area off-site:

    a. Manure at the manure loading area, concrete stacking pad and calf hutches at the Holstein Facility (see photographs RIMG0055.JPG – RIMG0057.JPG);

b. Manure along the north sides of the Calf Transition Barn and the Heifer Barn where daily spread manure is loaded at the Main Facility (see photograph RIMG0067.JPG);
c. Clean water diversion pipe outlets to VTA at the Main Facility (see photograph RIMG0083.JPG);
d. Sand bedding piles on the north end of the Heifer Barn, south end of the Freestall Milking Barn #1 at the Main Facility (see photograph RIMG0087.JPG);
e. Manure over a gravel drip trench drain east of the temporary manure pit at the Main Facility, apparently from agitation of the liquids in the pit (see photograph RIMG0092.JPG). Stormwater from this location discharges to a ditch south of the facility via the trench drain;
f. Sand bedding piles at the south end of the Freestall Milking Barn #2 at the Main Facility (see photograph RIMG0093.JPG);
g. Feed and manure at the south end of the Dry Freestall Barn at the Heifer/Slab City Facility, this location is on concrete with a curb and stormwater runoff is directed to the Slab City manure storage structure (see photograph RIMG0097.JPG);
h. Manure at the Calf Hutches and along the northern sides of the Heifer Freestall and Dry Cow Freestall Barns where the daily haul manure is temporarily stored on concrete for loading at the Slab City/Heifer Facility (see photographs RIMG0107.JPG and RIMG0110.JPG); and
i. Sand bedding piles at the Slab City/Heifer Facility along the north end of the manure storage structure (see photograph RIMG0108.JPG).

3. The CNMP recommended no manure applications for Field 79 for crop year 2013, however, on March 4, 2013 1,500 gallons per acre of liquid manure and six (6) tons per acre of pack manure was applied. Field 79 is 10.9 acres and is located adjacent to a tributary to the West Branch of the Tioughnioga River and has a low Phosphorus Index score at 6. According to Facility representatives, Field 79 was a new grass field and manure applications in 2013 are considered when developing recommendations for crop year 2014. Field 52 was not on the manure application recommendation list in the CNMP for crop year 2013, however, 1,500 gallons per acre was applied to the field in July 2013. Field 52 is 39.5 acres and is located adjacent to the West Branch of the Tioughnioga River. According to Facility representatives, Field 52 was combined with Field 53 and labeled as Field 51 but had been split up.
4. Currie Valley Dairy provided a summary of soil test data and actual soil test results for samples taken since 2012 in their CNMP. Soil test results for fields that manure is spread to are less than or around three (3) years old with the oldest samples tested in 2011. The actual soil test results and sampling dates were not available for the 2011 samples. According to Facility representatives, the fields sampled in 2011 will be sampled this year.
5. At the time of the inspection, EPA observed a fenced and vegetated pasture at the Slab City/Heifer Facility immediately adjacent to the West Branch of the Tioughnioga River (see photograph RIMG0104.JPG). The permittee should ensure that this pasture remains vegetated and that the fence is properly maintained to prevent animals from coming into contact with the surface water. Weekly inspections of stormwater diversion devices should include the clean water pipe that discharges to this pasture (see photograph RIMG0101.JPG) to ensure that any stormwater discharges are not resulting in erosion of the pasture to the the West Branch of the Tioughnioga River.

6. Section VII.C of the NYSDEC CAFO General Permit requires Large CAFOs to have all CNMP practices fully operational by December 31, 2006 and requires Medium CAFOs to have all CNMP practices fully operational by June 30, 2009. At the time of the inspection, the CNMP was not fully implemented. According to on-site representatives, the remaining CNMP practices to be implemented include the replacement of the existing Vegetated Treatment Area (VTA) which was constructed in 2007 in accordance with the existing NRCS standards but does not meet the revised 2009 NRCS standards and is not in response to a high risk condition. According to documentation provided at the time of the inspection, the design for the new silage leachate collection and treatment system was designed by Jessica Skinner, P.E. and was dated April 2014 and construction is scheduled to be completed by September 30, 2014.

RIMG0054.JPG - Unmapped feed grain bin located on north side of Holstein Barn at the Holstein Facility (view facing southeast)

RIMG0055.JPG – Calf hutches on the north side of the Commodity Storage Barn at the Holstein Facility (view facing west)

RIMG0056.JPG – Concrete stacking pad between the Dry Cow and Holstein Barns at the Holstein Facility (view facing south)

RIMG0057.JPG – Manure loading area along the south side of the Holstein Barn at the Holstein Facility (view facing east)

RIMG0067.JPG – Daily spread loading area on the north side of Heifer Barn at the Main Facility (view facing south)

RIMG0071.JPG - 1st unmapped storm drain south of the Calf Transition Barn at the Main Facility (view facing southwest)

RIMG0072.JPG - Unmapped feed grain bin south of the Calf Transition Barn at the Main Facility (view facing northeast)

RIMG0073.JPG - 2nd unmapped storm drain northwest of the Concrete Manure Storage and adjacent to the Hay Storage at the Main Facility (view facing south)

RIMG0075.JPG - Silage leachate collection system south of Bunk Silo, level lip spreader under pooling liquids (view facing west)

RIMG0079.JPG - Bunk silo contents exposed on northwest corner at the Main Facility (view facing east)

RIMG0080.JPG – West end of Bunk Silo at the Main Facility (view facing south)

RIMG0081.JPG - Liquids pooling in VTA at the Main Facility (view facing south)

RIMG0083.JPG - Clean water diversion pipe discharging to VTA at the Main Facility (view facing north)

RIMG0084.JPG - Unmapped feed grain bin with feed on the ground uphill from clean water outfall at the Main Facility (view facing west)

RIMG0087.JPG – Sand bedding pile at the south end of the Freestall Milking Barn #1 at the Main Facility (view facing east)

RIMG0089.JPG - Drainage ditch and pipe south of Main Facility (view facing west)

RIMG0092.JPG - Close up of manure over gravel drip trench drains east of reception pit at the Main Facility (view facing north)

RIMG0093.JPG – Sand bedding pile south of Freestall Milking Barn #2 at the Main Facility (view facing east)

RIMG0094.JPG - Unmapped clean water diversion ditch and culvert south of Calf Barn at the Main Facility (view facing east)

RIMG0095.JPG - Unmapped clean water diversion ditch pipe south of Calf Barn to adjacent field at the Main Facility (view facing south)

RIMG0097.JPG – Feed and manure exposed to stormwater at the south end of the Dry Freestall Barn at the Heifer/Slab City Facility (view facing east)

RIMG0101.JPG – Unmapped clean water pipe to pasture at the Slab City Facility (view facing east)

RIMG0104.JPG – Fenced vegetated pasture along West Branch of the Tioughnioga River at the Slab City Facility (view facing east)

RIMG0107.JPG – North end of the Freestall Barns at the Heifer Facility/Slab City (view facing west)

RIMG0108.JPG – Sand bedding piles at the north end of the manure storage at the Heifer Facility/Slab City (view facing southwest)

RIMG0110.JPG – Calf hutches at the Heifer Facility/Slab City (view facing southwest)

RIMG0111.JPG - Unmapped clean water pipe drain between manure storage and Freestall Barn at the Slab City Facility (view facing north)

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF WATER

CAFO FACILITY INSPECTION REPORT

Version 1.0 - 3/15/06

DISTRIBUTION
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Facility Name: Currie Valley Farm, LLC	SPDES: NYA000328	Date: 4/23/2014

I. INSPECTION INFORMATION

Purpose of Inspection (Check any appropriate box):	DEC Region	Date	Time
☐ Reconnaissance (page 1 only) ☑ Comprehensive ☐ Complaint Response	7	4/23/14	8:00 AM

Inspector Name: Kimberly McEathron	Inspector Signature:
Owner/Operator Representative: John Currie	Representative Title: Owner
Street/Rte. No.: 2267 Currie Rd. C/T/V: Tully	County: Cortland Phone Number: 315-696-8051

Other Inspection Attendees, Affiliations, Phone Numbers:
Paul Murphy, CAFO Planner, FCS, 315-427-4947
Stacy Russell, Cortland SWCD, 607-597-9360
Scott Cook, NYSDEC Region 7, 315-426-7502
Julie Melancon, NYSDEC Region 7, 315-426-7418
Colleen Currie, Co-owner, 315-696-8051

1. Present Weather Conditions:	2. Weather Previous 24 Hours:	3. Other Notable Weather Concerns:
Rain 40°F	Rain, 50°F	

4. Permitted Facility ☑ Yes ☐ No (If no complete and attach determination worksheet.)

Items	Comments
5a. Comprehensive Nutrient Management Plan	
5b. Emergency Action Plan	
5c. Monitoring and Reporting	
6. Barnyard Runoff Management	
7. Silage/Feed/Commodities Storage	
8. Waste Storage Facilities and Manure Transfer	
9. Wastewater Treatment Strip	
10. Best Management Practice Implementation	
11. Waste Treatment Systems	

12. COMMENTS/DESCRIPTION

Overall Facility Rating

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF WATER

CAFO FACILITY INSPECTION REPORT

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Denise Sheehan, Commissioner

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Facility Name: Currie Valley Farm, LLC	SPDES: NYA000328	Date: 4/23/2014

II. GENERAL INFORMATION

1. Surface water(s) which would receive production area discharges: West Branch Tioughnioga River

2. Watershed(s): (CBP, NYC, Lk Chmpln, etc.) Chesapeake Bay Watershed

3. Is there analytical [illegible] from the [illegible] sting contamination? ~1,093 mature dairy ☐ Yes ☑ No

4. T[illegible] aged. 738 heifers

[illegible] ration: ☑ Year Round ☐ Seasonal

5b [illegible] ☑ partially Exposed ☐ Fully Roofed
pastures and laneways

6. [illegible] e human wastes being mixed o[illegible] manure or process wastewater? ☐ Yes ☑ No
Septic

7. Are a[illegible]onal nutri[illegible]nported? ([illegible]mmercial/chemical fertilizer) ☐ Yes ☑ No

If "Y[illegible] and amounts?

[illegible]ments being exported? ☑ Yes ☐ No

9. If the volume of manure, litter, or process wastewater exported exceeds 50 tons annually to any one recipient have the entity dates, amounts, and addres[illegible] recipient been documented in the CNMP? ☑ Yes ☐ No

[illegible] recipients been provided with the nutrient content of the manure? ☑ Yes ☐ No

11. Are all waste[illegible] included in the CNMP? ☑ Yes ☐ No

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF WATER

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Facility Name: Curie Valley Farm, LLC | SPDES: NYA000328 | Date: 4/23/2014

III. COMPREHENSIVE NUTRIENT MANAGEMENT PLAN (CNMP)

1. Has CNMP been completed and is it available onsite? 2014 by FCS — ☑ Yes ☐ No
2. Is the CNMP *certification* / Appendix B (completed and signed) available onsite? — ☑ Yes ☐ No
   1/12/2006 original, 7/31/2013 expansion Appendix B
3. Are the annual compliance reports / Appendix D (completed and signed) available onsite? — ☑ Yes ☐ No
   2005 and 2009-2013 on-site
4. Are field data/nutrient application (e.g. Cropware Output) sheets available? — ☑ Yes ☐ No
5. Are soil test results less than 3 years old? — ☑ Yes ☐ No
   2011-2014
6. Have manure nutrient analyses been completed in the past year? (large) or past 2 years? (medium) — ☑ Yes ☐ No
7. Are fields with very high P Index scores scheduled to receive or receiving additional manure or P-fertilizer? — ☐ Yes ☑ No
   ~~no very high~~
   Field #60 very high - no manure added
8. Do fields with very high N Index scores have adjusted practice recommendations (e.g. cover crops, timing of application)? — ☐ Yes ☐ No N/A
   no very high
   #62 high fields get limited fall applications
9. Are field spreading setbacks recorded for wells and streams (perennial and intermittent)? — ☑ Yes ☐ No
10. Are manure applications being recorded and tallied by individual field or management unit? — ☑ Yes ☐ No
11. Is field spreading in general accord with recommendations? — ☑ Yes ☐ No
    except new field #79
12. Does the CNMP identify fields to spread during adverse weather conditions? — ☑ Yes ☐ No
    14 fields identified in EAP
13. Identify any new animal housing or manure storage structures added since last inspection
    None
14. Are these new structures recorded in the CNMP? — ☐ Yes ☐ No N/A
15. Was the CNMP updated for facility expansion as necessary (e.g. herd or flock increases of ≥ 20%)? — ☑ Yes ☐ No
16. Is an emergency action plan available? dated 1/2013 - 4/2014 — ☑ Yes ☐ No
17. If "Yes", has it been communicated to employees? (ex: posted in appropriate languages) — ☑ Yes ☐ No
    Communicated, not posted
18. Has the CNMP been fully implemented? — ☐ Yes ☑ No

If "No", provide current status:
Silage leachate collection and treatment system to be completed by 9/30/2014

Overall Rating

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
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Denise Sheehan
Commissioner

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Facility Name: Currie Valley Farm, LLC	SPDES: NYA000328	Date: 4/23/2014

IV. STORMWATER RUNOFF MANAGEMENT

Complete one Section IV. for Each Farmstead (Use Multiple Sheets If Necessary)

Farmstead Name / Identifier: Site 1 - Main Facility

1. Is there evidence of runoff discharged directly to a surface water? ☐ Yes ☑ No
   If "Yes," describe pipe(s) or channel(s), show location(s) on the map, and indicate if contaminated or potentially contaminated.

2. Farmstead Runoff Management System Includes ☐ Runoff to Waste Storage ☐ Solids Sedimentation System ☐ Wastewater Treatment Strip ☑ Direct Flows to Remote Field ☐ Other

3. Does clean water come into contact with the production area? ☑ Yes ☐ No
   laneways, loading areas
4. Do roof drains segregate clean rainwater from contaminated runoff? ☐ Yes ☑ No
5. Does a watercourse flow through the production area? ☐ Yes ☑ No
6. If "Yes", have livestock been completely fenced out of production area watercourses? ☐ Yes ☐ No N/A
7. Describe any deficiencies (e.g. operation and maintenance) and the various stages of implementation.

Overall Rating

V. OTHER WASTES

1. Are milking center wastes co-disposed with manure? ☑ Yes ☐ No
2. If "No," describe the method or system for disposal/treatment.
3. Are procedures for handling and disposal of dead animals sufficient? ☑ Yes ☐ No
   Rendering
4. How is the spoiled silage/feed/commodities handled?
   Land applied
5. Describe any deficiencies and the various stages of implementation.

Overall Rating

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CAFO FACILITY INSPECTION REPORT

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Facility Name: Currie Valley Farm, LLC | SPDES: NYA000328 | Date: 4/23/2014

IV. STORMWATER RUNOFF MANAGEMENT

Complete one Section IV. for Each Farmstead (Use Multiple Sheets If Necessary)

Farmstead Name / Identifier: Site # 2 - Holstein Facility

1. Is there evidence of runoff discharged directly to a surface water? ☐ Yes ☑ No
   If "Yes," describe pipe(s) or channel(s), show location(s) on the map and indicate if contaminated or potentially contaminated:

2. Farmstead Runoff Management System includes: ☐ Runoff to Waste Storage ☐ Solids Sedimentation System ☐ Wastewater Treatment Strip ☑ Direct Flows to Remote Field ☐ Other

3. Does clean water come into contact with the production area? ☑ Yes ☐ No
   manure loading areas
4. Do roof drains segregate clean rainwater from contaminated runoff? ☐ Yes ☑ No
5. Does a watercourse flow through the production area? ☐ Yes ☑ No
6. If "Yes", have livestock been completely fenced out of production area watercourses? ☐ Yes ☐ No N/A
7. Describe any deficiencies (e.g. operation and maintenance) and the various stages of implementation:

Overall Rating

V. OTHER WASTES

1. Are milking center wastes co-disposed with manure? ☑ Yes ☐ No
2. If "No", describe the method or system for disposal/treatment:
3. Are procedures for handling and disposal of dead animals sufficient? ☑ Yes ☐ No
   Rendering
4. How is the spoiled silage/feed/commodities handled?
   Land applied
5. Describe any deficiencies and the various stages of implementation:

Overall Rating

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF WATER

CAFO FACILITY INSPECTION REPORT

Version 1.0 - 3/15/06

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Facility Name: Cume Valley Farm, LLC	SPDES: NYA000328	Date: 4/23/2014

IV. STORMWATER RUNOFF MANAGEMENT

Complete one Section IV for Each Farmstead (Use Multiple Sheets If Necessary)

Farmstead Name / Identifier: Site #3 (Heifer Facility) aka Slab Cities

1. Is there evidence of runoff discharged directly to a surface water? ☐ Yes ☑ No
   If "Yes," describe pipe(s) or channel(s), show location(s) on the map, and indicate if contaminated or potentially contaminated:

2. Farmstead Runoff Management System Includes: ☑ Runoff to Waste Storage ☐ Solids Sedimentation System ☐ Wastewater Treatment Strip ☑ Direct Flows to Remote Field ☐ Other

3. Does clean water come into contact with the production area? ☑ Yes ☐ No
   manure loading areas and feed
4. Do roof drains segregate clean rainwater from contaminated runoff? ☐ Yes ☑ No
5. Does a watercourse flow through the production area? ☐ Yes ☑ No
   (adjacent - yes)
6. If "Yes", have livestock been completely fenced out of production area watercourses? ☑ Yes ☐ No
   Fenced pasture along Tioughnioga Creek
7. Describe any deficiencies (e.g. operation and maintenance) and the various stages of implementation:

Overall Rating:

V. OTHER WASTES

1. Are milking center wastes co-disposed with manure? ☐ Yes ☐ No N/A
2. If "No" describe the method or system for disposal/treatment:
3. Are procedures for handling and disposal of dead animals sufficient? ☐ Yes ☐ No N/A
4. How is the spoiled silage/feed/commodities handled?
5. Describe any deficiencies and the various stages of implementation:

Overall Rating:

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CAFO FACILITY INSPECTION REPORT

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Facility Name: Curne Valley Farm, LLC	SPDES: NYA000328	Date: 4/23/2014

VI. SILAGE/FEED/COMMODITIES STORAGE

Complete Section VI for Each Silage/Feed/Commodities Storage Area (Use Multiple Sheets If Necessary)

Storage Area Name / Identifier: Bunk Silo

1. Describe the material(s), method(s) and approximate storage capacity:
Haylage and Corn Silage
17,000 ton capacity

2. Are adequate measures taken to exclude precipitation/groundwater? ☑ Yes ☐ No
tarps and tires

3. If "No", describe:

4. Leachate/Runoff Management includes: ☐ Runoff to Waste Storage ☐ Solids Separation System
☑ High/Low Flow Separator ☑ Wastewater Treatment Strip ☑ Direct Flows to Field ☐ Other

5. Are Ag Bags being placed such that the leachate runoff could affect water quality? ☐ Yes ☐ No N/A

6. If 5 "Yes", is an appropriate leachate control system in place? ☐ Yes ☐ No N/A

Overall Rating:

VII. MONITORING AND REPORTING

1. Is a rain gage maintained onsite? @ Main Facility (not up @ time of inspection) ☐ Yes ☐ No

2. If "Yes", have all precipitation events in excess of 0.3 inch been measured and recorded? ☑ Yes ☐ No

3. Does the permittee retain copies of all records and reports for at least 5 years? ☐ Yes ☑ No

Note deficiencies found: 1. SW diversion weekly 8/2013 - present not available
2. Daily water line 8/2013 - present not available
3. Weekly depth marker readings for 2/10/2014, 1/6/2014, 1/13/2014 not available

4. Are records of overflows from production areas, including the date and time and an estimate of the volume available and sufficient? No overflows ☐ Yes ☐ No N/A

FOR LARGE BEEF, DAIRY, VEAL CALF, SWINE, AND POULTRY CAFOS:

5. Have weekly inspections of all storm water devices, runoff diversion structures, animal waste storage structures and devices channeling contaminated storm water to the wastewater and manure storage and containment structure been done and adequately recorded? ☐ Yes ☑ No

6. Are weekly records of the depth marker readings for manure and process wastewater in any open liquid storage structures available and sufficient? Available, some weeks missing. ☐ Yes ☑ No

7. Are records of precipitation exceeding 0.3 inch for a period of 24 hours prior to, during, and for 24 hours after land applications available? Forecasts printed weekly ☑ Yes ☐ No

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Facility Name: Curne Valley Farm, LLC	SPDES: NYA000328	Date: 4/23/2014

VIII. WASTE STORAGE FACILITIES and MANURE TRANSFER

Complete Section VIII. for Each Waste Storage Facility (Use Multiple Sheets If Necessary)

Waste Storage Facility Name / Identifier: Main Manure Pit (@ main Facility)

1. Are "As Builts" documentation of the installation Available and Signed by a PE or appropriate NRCS Employee? Jessica Skinner, P.E. 1/20/2010 ☑ Yes ☐ No

2. Is there an Undesigned Storage Evaluation Certification Letter Signed by a PE or appropriate NRCS Employee (If yes attach copy to inspection report)? ☐ Yes ☐ No N/A

3. If Both 1 and 2 are "No", is it scheduled for an evaluation by a PE? ☐ Yes ☐ No N/A

4. What is the date of installation of the waste storage facility? 2010

5. What materials are stored? (e.g. manure, whey, leachate) manure, sand bedding, milkhouse waste

6. Construction ☐ Clay-Lined ☐ Plastic-Lined ☐ Unlined ☐ Steel ☑ Concrete ☐ Other

7. Capacity (gallons): 660,000 8. Approximate Dimensions (ex. side slopes, LxWxD) 156' x 57' x 11'

8. Approximate Storage Period: 35 days

9. Has a permanent depth marker or recorder been installed at the design storage level?(NY313) ☑ Yes ☐ No

10. Is there evidence of the waste storage facility exceeding the design storage volume? ☐ Yes ☑ No

11. Is fencing in place surrounding the storage?(NY313) ☑ Yes ☐ No

12. Are outside embankments covered with properly maintained vegetation to control erosion?(NY313) ☑ Yes ☐ No

13. Are trees, rodent holes, cracks, seeps, etc. evident in the embankment area surrounding the wsf? ☐ Yes ☑ No

14. Does the storage have a written O&M plan and does it appear that it is being followed? ☑ Yes ☐ No

15. Describe any deficiencies and the various stages of implementation: (ex. lack of records, poor maintenance, etc.)

Overall Rating:

If there are Associated Permanent or Semi-Permanent Pipelines: None (trenches)

18. Are they: ☐ Above Ground ☐ Below Ground

19. Are there stand pipes/valves/junctions at or near streams? ☐ Yes ☐ No

20. Do the valves appear to function properly? ☐ Yes ☐ No

21. Is there evidence of leakage in the pipeline(s), pumps, or valves?(NY634) ☐ Yes ☐ No

22. Are there anti-siphon devices in place? ☐ Yes ☐ No

Overall Rating:

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Facility Name: Cume Valley Farm, LLC | SPDES: NYA000328 | Date: 4/23/2014

VIII. WASTE STORAGE FACILITIES and MANURE TRANSFER

Complete Section VIII. for Each Waste Storage Facility (Use Multiple Sheets If Necessary)

Waste Storage Facility Name / Identifier: Temporary Reception Pit (@ main Facility)

1. Are "As Builts" documentation of the installation Available and Signed by a PE or appropriate NRCS Employee? Jessica Skinner, P.E. 1/20/2010 ☑ Yes ☐ No

2. Is there an Undesigned Storage Evaluation Certification Letter Signed by a PE or appropriate NRCS Employee (If yes attach copy to inspection report)? ☐ Yes ☐ No N/A

3. If Both 1 and 2 are "No" is it scheduled for an evaluation by a PE? ☐ Yes ☐ No N/A

4. What is the date of installation of the waste storage facility? 2010

5. What materials are stored? (e.g. manure, whey, leachate) manure, sand bedding

6. Construction: ☐ Clay-Lined ☐ Plastic-Lined ☐ Unlined ☐ Steel ☑ Concrete ☐ Other

7. Capacity (gallons) 95,000 8. Approximate Dimensions (ex. side slopes, LxWxD) 40' x 86' x 10'

8. Approximate Storage Period 8 days

9. Has a permanent depth marker or recorder been installed at the design storage level?(NY313) ☑ Yes ☐ No

10. Is there evidence of the waste storage facility exceeding the design storage volume? ☐ Yes ☑ No

11. Is fencing in place surrounding the storage?(NY313) ☑ Yes ☐ No

12. Are outside embankments covered with properly maintained vegetation to control erosion?(NY313) ☑ Yes ☐ No

13. Are trees, rodent holes, cracks, seeps, etc. evident in the embankment area surrounding the wsf? ☐ Yes ☑ No

14. Does the storage have a written O&M plan and does it appear that it is being followed? ☑ Yes ☐ No

15. Describe any deficiencies and the various stages of implementation (ex. lack of records, poor maintenance, etc.)

Overall Rating

If there are Associated Permanent or Semi-Permanent Pipelines: None

16. Are they: ☐ Above Ground ☐ Below Ground

19. Are there stand pipes/valves/junctions at or near streams? ☐ Yes ☐ No

20. Do the valves appear to function properly? ☐ Yes ☐ No

21. Is there evidence of leakage in the pipeline(s), pumps, or valves?(NY634) ☐ Yes ☐ No

22. Are there anti-siphon devices in place? ☐ Yes ☐ No

Overall Rating

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Facility Name: Cuma Valley Farm, LLC | SPDES: NYA 000328 | Date: 4/23/2014

VIII. WASTE STORAGE FACILITIES and MANURE TRANSFER

Complete Section VIII. for Each Waste Storage Facility (Use Multiple Sheets If Necessary)

Waste Storage Facility Name / Identifier: Slab City Manure Pit

1. Are "As Builts" documentation of the installation Available and Signed by a PE or appropriate NRCS Employee? Jessica Skinner, P.E. 7/21/2013 ☑ Yes ☐ No

2. Is there an Undesigned Storage Evaluation Certification Letter Signed by a PE or appropriate NRCS Employee (If yes attach copy to inspection report)? ☐ Yes ☐ No N/A

3. If Both 1 and 2 are "No" - Is it scheduled for an evaluation by a PE? ☐ Yes ☐ No N/A

4. What is the date of installation of the waste storage facility? 2012

5. What materials are stored? (e.g. manure, whey, leachate) manure

6. Construction: ☐ Clay-Lined ☐ Plastic-Lined ☐ Unlined ☐ Steel ☑ Concrete ☐ Other

7. Capacity (gallons) 220,309 8. Approximate Dimensions (ex. side slopes, LxWxD) 100' x 41'

8. Approximate Storage Period: 2.5 months

9. Has a permanent depth marker or recorder been installed at the design storage level?(NY313) ☑ Yes ☐ No

10. Is there evidence of the waste storage facility exceeding the design storage volume? ☐ Yes ☑ No

11. Is fencing in place surrounding the storage?(NY313) ☑ Yes ☐ No

12. Are outside embankments covered with properly maintained vegetation to control erosion?(NY313) ☑ Yes ☐ No

13. Are trees, rodent holes, cracks, seeps, etc. evident in the embankment area surrounding the wsf? ☐ Yes ☑ No

14. Does the storage have a written O&M plan and does it appear that it is being followed? ☑ Yes ☐ No

15. Describe any deficiencies and the various stages of implementation (ex. lack of records, poor maintenance, etc.)

Overall Rating

If there are Associated Permanent or Semi-Permanent Pipelines: None

16. Are they: ☐ Above Ground ☐ Below Ground

19. Are there stand pipes/valves/junctions at or near streams? ☐ Yes ☐ No

20. Do the valves appear to function properly? ☐ Yes ☐ No

21. Is there evidence of leakage in the pipeline(s), pumps, or valves?(NY634) ☐ Yes ☐ No

22. Are there anti-siphon devices in place? ☐ Yes ☐ No

Overall Rating

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Denise Sheehan Commissioner

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Facility Name: Curne Valley Farm, LLC	SPDES: NYA000328	Date: 4/23/2009

If there are Associated Tanks/Reception Pits/Hoppers: Main Facility

22. Have tanks/reception pits/hoppers been sized to contain less than 7 full days' manure production? ☑ Yes ☐ No

23. Is there evidence of leakage in any tanks/reception pits/hoppers?(NY634) ☐ Yes ☑ No

Overall Rating:

IX. WASTEWATER TREATMENT STRIPS

Complete Section IX. for Each Wastewater Treatment Strip (Use Multiple Sheets If Necessary)

Wastewater Treatment Strip Name / Identifier: VTA @ Main Facility

Wastewater Source: (ex: bunk silo #4) Bunk Silo

1. Was the treatment strip designed by a Technical Service Provider or NRCS employee with appropriate job approval authority? Donald Lynch, P.E. 9/4/2007 ☑ Yes ☐ No

2. Does the treatment strip finished grade appear not less than 2% and not more than 12%?(NY635) ☑ Yes ☐ No

3. Does the treatment strip lower edge appear to be a minimum of 25 feet from surface waters of the State and the entire strip 100 feet from a well?(NY635) ☑ Yes ☐ No

4. Is there evidence of pollution beyond the filter area? ☑ Yes ☐ No

5. Are excess solids problematic in the filter area? ☐ Yes ☑ No

6. Do all discharges to the treatment strip appear to be uniformly distributed over a level cross-section?(NY635) ☐ Yes ☑ No

7. Is permanent grass-based vegetation present on a uniformly graded strip?(NY635) ☐ Yes ☑ No

8. Are all concentrated wastewaters (low flows) being diverted away from the treatment strip?(NY635) ☐ Yes ☑ No
(i.e. treatment strips should be designed and utilized for the treatment of contaminated runoff from feedlots, barnyards, livestock holding areas, milking center effluents and high flow dilute silage leachate only)

9. Is a kill zone evident in the treatment strip?(NY635) Dead vegetation ☑ Yes ☐ No

10. Should further source control be utilized to reduce the volume, frequency, and concentrations of pollutants entering the treatment strip? (including diversion of clean water up to the peak discharge from a 25yr/24hr storm) Clean water pipe to VTA ☑ Yes ☐ No

11. Is the treatment strip mowed and harvested periodically?(NY635) ☑ Yes ☐ No

12. Does the treatment strip have a written O&M plan and does it appear that it is being followed? ☐ Yes ☑ No

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Facility Name: Currie Valley Farm, LLC	SPDES: NYA000328	Date: 4/23/2014

X. PERMITTEE ACTION(S) REQUIRED / COMMENTS

☐ None noted

☐ Actions required as follows:

See Inspection Report

ADDITIONAL COMMENTS

Items the facility has accomplished:

Significant observed environmental concerns/risks:

THIS REPORT IS ONLY RELEVANT TO THE ITEMS INSPECTED AND CHECKED